



## DEPARTMENT OF CORRECTIONS POLICIES AND PROCEDURES

Policy No.: DOC 1.5.11	Subject: <b>REPORTING OF ADMISSION OR RELEASE OF ARSONISTS</b>
Chapter 1: ADMINISTRATION AND MANAGEMENT	Page 1 of 2, plus 2 attachments
Section 5: Case Records/Good Time	Revision Date:
Signature: /s/ by Director Day 11/3/97	Effective Date: Feb. 1, 1998

### I. POLICY:

It is the policy of the Department of Corrections to implement Section 53-1-104, MCA, requiring that any correctional facility having charge or custody of a person convicted of arson, or acquitted of arson on the ground of mental disease or defect, must give written notification to the Department of Justice when the person is admitted or released by the facility.

### II. AUTHORITY:

53-1-104, MCA. Release of Arsonist -- Notification of Department of Justice.

45-6-102, MCA. Negligent Arson

45-6-103, MCA. Arson

### III. DEFINITIONS:

**Arsonist** means any person who has been convicted of the offense of arson as defined in 45-6-103, MCA, or negligent arson as defined in 45-6-102, MCA.

### IV. PROCEDURES:

A. The following Department facilities must give written notice to the Department of Justice,

Fire Marshal Bureau:

C a Montana prison

C a Montana youth correctional facility

C a county or city detention facility.

B. The notice must contain:

1. the name of the convicted arsonist
2. where the offender is or will be located; and
3. the type of fire the offender was involved in.

**V. CLOSING:**

Questions concerning this policy shall be addressed to the Warden/Superintendent/Program Manager or Administrator.

DATE

RE: (name of offender) AO/JO # \_\_\_\_\_

State Fire Marshal  
Fire Prevention and Investigation Bureau  
Department of Justice  
PO Box 201415  
Helena, MT 59620-1415

Please be advised that the above-captioned subject, who was convicted of Arson, was released on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and will reside at

\_\_\_\_\_ ,

Montana. This offender *will* / *will not* be under the supervision of the Community Corrections Bureau.

Date of Fire: \_\_\_\_\_

Description of Fire: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

WARDEN/SUPERINTENDENT/PROGRAM MANAGER

By: \_\_\_\_\_  
RECORDS DEPARTMENT

DATE

RE: *(name of offender)* AO/JO # \_\_\_\_\_

State Fire Marshal  
Fire Prevention and Investigation Bureau  
Department of Justice  
PO Box 201415  
Helena, MT 59620-1415

Please be advised that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the above-captioned subject was received at the Department of Corrections pursuant to a Court Order dated \_\_\_\_\_ from \_\_\_\_\_ County, Montana, for the Crime of Arson, for a term of \_\_\_\_\_ years. The offender is currently at:

\_\_\_\_\_.

Date of Fire: \_\_\_\_\_

Description of Fire: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WARDEN/SUPERINTENDENT/PROGRAM MANAGER

By: \_\_\_\_\_  
RECORDS DEPARTMENT